

FEDERAL DEFENDER OFFICE
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July 22, 2008

Michael Pina
Reg. #25275-038
FCI Allenwood
P.O. Box 2000
White Deer, PA 17887

**Re: United States v. Michael Pina
Criminal No. 04-10195-PBS**

Dear Mr. Pina:

As I wrote to you in my letter of April 23, 2008, I have determined that you are not eligible for a reduction under the amended crack cocaine guideline. I also wrote to you that Judge Saris had directed the government and me as your attorney to file a joint status memorandum, and that I intended to report in that memorandum my belief that the amendment did not apply to you. Finally, I asked you to contact my office if you believed that there was some fact that I have overlooked or if you need some further explanation as to my conclusion that you are ineligible.

I have not heard from you since that letter. I did, however, receive a call from Attorney Michael Andrews, who told me that you were trying to get in touch with me about the issue. This appeared odd to me as I have not received any letters or telephone messages from you indicating that you were trying to get in touch with me.

Nevertheless, out of an abundance of caution I will wait an additional two weeks before filing the Joint Status Memorandum. Please call or write detailing what it is you would like me to add on your behalf in the memorandum. If you choose to call, please leave a detailed message on my answering machine as I will be out of the office and unable to talk to you directly.

Sincerely,



Timothy G. Watkins
Assistant Federal Defender

TGW:tw